

**Attention Alex:**

**This is a note concerning the phone  
Conversation we had on 4-7-03**

The letter included is the last letter I received from the Patent Office. My letter is in response to this letter. This letter is what I would like you to answer so that I can understand. I am enclosing a copy of the post card receipt I received which shows what I sent you last time. What I don't understand is if you never received or responded to this letter how can my Patent Application be abandoned?

Also, when I spoke with Erica on the phone on 11-25-02 and 1-7-03 she asked me to send my entire application again to her. She informed me I did not owe any more money.

**Jack Martin**

#16 #SPE  
4/14/03  
(misc. letter)

United States Patent Application  
Name of Invention: Blind Choice  
A Marble and Dice Game  
Inventor: Jack Martin  
6132 Choctaw Dr.,  
Westminster, Ca 92683  
United States Citizen  
Application Number: 09/931,628  
Art Unit # 3713  
Filed: August 14, 2001  
Primary Examiner: Alex P. Rada

2-14-03

Dear Alex P. Rada,

I have received another letter from the USPTO. I have some questions concerning this letter and the future of my patent application.

1. My first question concerns the letter I received which states that my application number is now 10/308,216. It says is a CON of 09/931,628. Can you please explain what this is and why my application number has suddenly been changed?
2. Also in this letter it states that I have been granted A LICENSE FOR FOREIGN FILING UNDER Title37, Code of Federal Regulations, 5.11 & 5.15. Can you please explain what this means?
  - (a) Is my application accepted or not?
  - (b) Is Foreign Licensing different from actually having a patent application accepted?
  - (c) Can you give me some insight into these matters?
3. Under Notice to File Missing Parts of Nonprovisional Application it states that I owe an additional \$375.00 to complete the basic filing fee for small entity. I spoke with Erica on 11-25-02 & 1-7-03. She had sent a letter saying the \$370.00 filing fee had not been received. I told her I had sent it on 10-22-02. She looked into the matter and told me she had found my check and recorded it. She then told me I would not have to send more money. Erica had also asked me to revise my application and send it to her. After I did so she told me it was fine. Now I am being asked to revise my application once again. Can you tell me why when Erica told it was fine as it is?
  - (a) Do I owe an additional late filing fee of \$375.00? Why was I not told of this before?
  - (b) The letter also states I owe a late filing fee of \$65.00. If I was not told of the \$375.00 additional filing fee how can I owe a late fee?
  - (c) The letter states that I owe an additional claim fee of \$504.00 for 12 independent claims. Can you explain what these 12 claims are and why I was not told of this fee earlier?
4. You are now asking me for additional fees totaling \$944.00. you have also instructed me to do many revisions on my application. I am sending you my application with all the revisions you have asked for. However, I am not sending the \$944.00 fees. I don't have the money right now. My savings have been depleted paying all the fees you have asked of me so far. What I would like is for you to check my application to see if it is correct once and for all. If it is and the \$944.00 fees are the final fees then I will try to raise the money before the deadline. But if my application is not correct and you think it will need more revisions and require more fees in the future please tell me and I will abandon the application now.

Yours sincerely,

Jack Martin



APPLICATION NUMBER: 09/931,628  
INVENTOR: JACK MARTIN  
NAME OF INVENTION: BLIND CHOICE

1. COPY OF USPTO LETTER - 2 PAGES
2. UTILITY PATENT APPLICATION TRANSMITTAL FORM-PTO/SB/05-1-P.
3. DECLARATION FOR UTILITY OR DESIGN FORM- PTO/SB/01-1 PAGE
4. SPECIFICATIONS:
  - (A) ABSTRACT - 1 PAGE
  - (B) BACKGROUND - 1 PAGE
  - (C) SUMMARY - 5 PAGES
  - (D) DETAILED DESCRIPTION - 7 PAGES
  - (E) CLAIM - 2 PAGES
  - (F) SPECIFICATIONS - 1 PAGE
5. NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION LETTER -2 PAGES
6. LETTER- 1 PAGE



ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON D. C. 20231



JACK MARTIN  
6132 CHOCTAW DRIVE  
WESTMINSTER, CA. 92683





Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/308,216	12/03/2002	3714	0.00		1	15	15

CONFIRMATION NO. 2351

JACK MARTIN  
6132 CHOCTAW DR.  
WESTMINSTER, CA 92683

## FILING RECEIPT



\*OC00000009460401\*

Date Mailed: 01/31/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jack Martin, Westminster, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/931,628 08/16/2001 \*

(\*)Data provided by applicant is not consistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted: 01/31/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Blind choice

## Preliminary Class

273

RECEIVED  
 JUN 04 2003  
 TECHNOLOGY CENTER R3100

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/308,216	12/03/2002	Jack Martin	

CONFIRMATION NO. 2351

JACK MARTIN  
6132 CHOCTAW DR.  
WESTMINSTER, CA 92683

## FORMALITIES LETTER



\*OC000000009460402\*

Date Mailed: 01/31/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 375 to complete the basic filing fee for a small entity.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).
  - The specification was submitted in multiple column format and is not suitable for electronic reproduction (see 37 CFR 1.52(a)).
- A replacement abstract commencing on a separate sheet in compliance with 37 CFR 1.72(b) and 37 CFR 1.121 is required.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid

further processing delays.

- Additional claim fees of **\$504** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$944** for a Small Entity

- **\$375** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$504**
  - **\$504** for **12** independent claims over 3 .

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*A copy of this notice **MUST** be returned with the reply.*

W. Reno

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY